

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THE KALISPEL TRIBE OF
INDIANS, a Native American
tribe,

NO. CV-03-0423-EFS

Plaintiff,

v.

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR ORDER OF
DISMISSAL AS TO CLAIMS BY AND
BETWEEN WML AND SRP**

SPOKANE RACEWAY PARK, INC., a
Washington Corporation,
WASHINGTON MOTORSPORTS L.P.,
a Washington limited
partnership; ORVILLE MOE and
the marital community of
ORVILLE and JANE DOE MOE,

Defendants.

Before the Court, without oral argument, is the parties' Stipulation for Order of Dismissal as to Claims By and Between WML and SRP. (Ct. Rec. 158.) Based on mediation between the Kalispel Tribe of Indians, Washington Motorsports Limited Partnership ("WML"), and Spokane Raceway Park, Inc. ("SRP"), a resolution as to certain claims has been reached. Therefore, the parties seek dismissal of those claims.

Accordingly, **IT IS HEREBY ORDERED:** the parties' Stipulated Motion for Order of Dismissal as to Claims By and Between WML and SRP (**Ct. Rec. 158**) is **GRANTED**. The following claims are dismissed without prejudice and without costs or fees to any party:

1 1. WML's claims against SRP in the above-captioned matter, including
2 but not limited to any claims that were removed into this action from
3 Washington State Superior Court for Spokane County Cause No. 3-2-07706-7.

4 2. WML's cross-claim against SRP for indemnification (contained in
5 paragraphs 107-109 of Amended Answer of WML Receiver with Amended
6 Counterclaims and Crossclaim). (Ct. Rec. 73.)

7 3. SRP's claims against WML in the above-captioned matter, including
8 but not limited to any claims that were removed into this action from
9 Washington State Superior Court for Spokane County Cause No. 3-2-07706-7.

10 4. SRP's counter cross-claim against WML (contained in paragraph 112
11 of Reply and Counter-Crossclaim of Defendant Spokane Raceway Park, Inc.
12 to Amended Answer of WML Receiver). (Ct. Rec. 95.)

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14 **IT IS SO ORDERED.** The District Court Executive is directed to enter
15 this Order and provide a copy to counsel and Defendant Orville Moe.

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17 **DATED** this 10th day of September 2007.

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19 S/ Edward F. Shea
20 EDWARD F. SHEA
United States District Judge

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